GREAT SPEECH

OF

SENATOR TRUMBULL,

ON THE ISSUES OF THE DAY.

DELIVERED IN CHICAGO, SATURDAY, AUGUST 7, 1858.

Upon being introduced to the people by Hon. N. B. Judd, Judge Trumbull was greeted by hearty cheers. Silence having been restored he said:

Fellow Citizens:—I am gratified in having an opportunity of laying before so many of my fellow citizens as I see here assembled, my own views in regard to the political questions which have agitated the public mind since I became connected with public affairs. When I entered Congress as one of the Representatives of this State, the great and all-absorbing question which occupied the public mind was the Slavery question. Parties were then organized upon that question, and they have continued so up to this time; and it is in regard to that question that I shall chiefly address you tonight, though not altogether; for, in discussing that question, I desire to bring before you the fact which exists, that all the great powers of this government are subordinate to this one question. I wish to show you how the expenditures of this government are made—how its patronage is used, and how its powers is is exerted for the purpose of encouraging the spread of slavery and the denomination of slave power. [Applause.] In doing this, my fellow citizens, I shall resort to no clap-trap expressions. I wish no person in the audience, or in this State, to act or vote with that party with which I have the honor to act, unless he believes it to be right. I have no false colors to hang out to deceive you, but I wish to lay before you the plain, honest truth, and if that does not commend the party with which I act to your judgments, then I say to you it is your duty to act with some other party; but if, in the course of the observations I have to make, I can show you that a party sailing under false colors pretending one thing and acting another is misleading the public mind, and changing the policy of the government—professing economy, is guilty of profligacy—professing to love the Constitution, is trampling it under foot, and professing to be Democratic, is the old black-cockade Federal party in disguise—if I can show this to you, then I trust you will abandon such a party as that.

HISTORY AND PROGRESS OF SLAVERY IN THE TERRITORIES.

It will be necessary to devote a few moments—and I shall be very brief upon that point—to a history of the slavery question. This is necessary, because parties dispute as to what each professes. Each of the great parties of the country professes devotion to the Constitution, and each charges upon the other the entertaining of views which it denies. When such is the case we must look at the facts, and as intelligent men judge who is right.

When the government was formed, we all know that slavery existed in many of the States, and the government was formed on the principle of letting the slavery question alone, to be managed by the States in which it existed. But, so far as the federal government was concerned, it took cognizance of this question in the territories of the United States. This is a matter of history. Before the adoption of the Constitution, the Territories which had been ceded to the United States, as they existed under the Articles of Confederation, were governed by what is known as the Ordinance of 1787, and that Ordinance, as you well know, excluded slavery from all the territory which then belonged to the United States. When the Constitution was formed, shortly afterward, this subject was left in the same condition in which the convention found it.

This policy continued to exclude slavery from all the Territories of the United States, for many years. When North Carolina and Georgia ceded the western territory belonging

those States to the United States, it was so well understood that the federal government would abolish slavery in the territories which they ceded, unless there was a provision against it. that such a clause was inserted in the deed of cession.

I state this on this occasion to show that some other object was designed than that which is now professed in the repeal of the Missouri Compromise. The policy of the country down to 1854 was to keep the Territories free. Then a new policy was inaugurated. Now what was the theory upon which the Missouri Compromise was repealed? I will state it as fairly as I know how, for the benefit of those who effected that repeal. Did they not tell us that the Missouri Compromise was repealed for the purpose of conferring upon the people of the Territory the right of self government and Popular Sovereignty? Wasn't that the avowed reason? [Cries of "Yes, yes,"] Well, if it was for that reason, has not that reason been totally abandoned? ["Yes, yes; that's so."] It is true that was the reason, and it was said by those who brought about that repeal that the people of a Territory should have the same right to regulate their domestic affairs as the people of a State, and I remember to have heard the position stated in this form: "Are you not capable of governing yourselves in the State of Illinois, and do you lose your senses, so that you can't govern yourselves, the moment you pass over the line of a State into a Territory? Are you not as capable of governing yourselves there as here?" This was the form in which the question was stated, and the appeal was made to all the people of the Free States to indorse the repeal of the Missouri Compromise, upon the ground and the ground alone, of leaving the people of the Territory free to regulate their own domestic affairs in their own way. This was the doctrine professed until the Cincinnati Convention met, in 1856—I mean professed in the North, for it never was the doctrine avowed by the South. When that convention met they passed a resolution declaring that the people of each Territory should have the right to determine their own domestic institutions, including slavery, when they came to form a State Government.

Here the idea was first started that they should have the right, when they formed a State government. Was that ever in controversy? [Cries of No! No!] Never! Did any one ever pretend that anybody could form a constitution for the people of a State except the people of a State themselves? The people of a Territory cannot by themselves put a State constitution in operation. The constitution which they form has no effect—is not approved—until they are admitted into the Union as a State. You all know this, Minnesota formed a constitution, but did it come into force before she was admitted as a State? Oregon formed a constitution, and yet it is not a State. Kansas has had half a dozen constitution and is not yet a State. [Cheers and laughter.]

Here is the change which the repealers of the Missouri Compromise have made in their professions. They all professed, at the time the Missouri Compromise was repealed, to believe that slavery would not go into Kansas. We who were opposed to the repeal of that law, which excluded slavery from Kansas while a Territory, told them the effect would be to open Kansas to slavery, and slavery would go there. They said it was no such thing—it was a slander upon them, for they were as much opposed to slavery as any one—that it was "an abolition lie"—that slavery would never go there, and the Missouri Compromise was not repealed for any such purpose. This was the profession. [Cries of True! True!]

What did we say further? We said slavery would be introduced, and when slavery got into the Territory it would be difficult get it out. This they denied What now has been the practical effect? The moment the Missouri Compromise was repealed slavery did go into Kansas—it is there to-day. That is the truth, which cannot be denied. After slavery got there did the people have a right to exclude it? did the people have a right to do anything? You are too familiar with the history of Kansas to require that I should go over it to-nig' t; but you all know that so far from the people of Kansas having the right to regulate their own affairs on the subject of slavery, at the very first election which was held the settlers were driven from the polls, and a legislature was elected for them, and what did it do? That legislature passed a law punishing a man with chains and the penitentiary who should say slavery did not exist in Kansas. If a man merely avowed such to be his opinion he subjected himself to the penitentiary. That legislature, when it met, imposed unconstitutional laws upon the people of Kansas—provided for the perpetuation of its power—appointed its officers for years—took the control of all the affairs of the Territory, and backed up by the United States army, a perfect despotism, was forced upon a people who, it was said, had had conferred upon them the great principles of self-government and popular sovereignty. [Loud applause] These are the facts.

Let us follow this history along a little further. In process of time it was supposed Kansas would wish to be admitted into the Union as a State. Her people, you remember had formed one constitution, known as the "Topeka Constitution," established a free State. It was necessary to meet this with something, and a bill was prepared in the Senate by Mr. Douglas, authorizing the people of Kansas to hold a convention and form a constitution. Several amendments were offered to that bill. Among others an amendment was offered by

Mr. Toombs, of Georgia, and that bill subsequently passed the Senate. Now, fellow citizens, I make the distinct charge that there was a preconcerted arrangement and plot entered into by the very men who now claim credit for opposing a constitution not submitted to the people—to have a constitution formed and put in force without giving the people an opportunity to pass upon it (Great applause.) This, my friends, is a serious charge, but I charge it to-night, the very men who traverse the country under banners proclaiming popular sovereignty, by design, concocted a bill on purpose to force a constitution upon that people. The evidence to prove the charge I make I have brought along with me, (Applause,) because a charge of a serious character like this might be controverted by the men who claim credit for popular sovereignty, unless I brought the evidence with me. I hold in my hand the bill brought into the Senate of the United States by Mr. Toombs, on the 25th of June 1856, containing a clause requiring the constitution which the convention should form, to be submitted to the people for their ratification or rejection. The bill was referred to the Committee on Territories in the Senate of the United States, of which Judge Douglas is chairman. Judge Douglas, five days afterwards, reported back the bill I hold in my hand, making various alterations in the bill, *and, among others, striking out the clause requiring the constitution to be submitted to the people*, and he stated that on consultation with Mr. Toombs, he had made these alterations. (Tremendous applause.)

A VOICE—To whom did he make the statement?

MR. TRUMBULL—He made it in the Senate of the United States, and it is reported in the Congressional Globe.

A VOICE—what did Douglas say?

MR. TRUMBULL—What did he say? *He was silent as the grave and voted for the bill.* (Applause.) It passed the Senate but was defeated in the House. Mind you now, this was before the Presidential election. (Cheers and laughter.) It was before the thunders of the Freemont vote had rolled down to Washington and frightened the men that were there. (Applause.) It was before the people of Illinois had swept the plunderers from the State Capitol and installed in their places free men and the friends of free men. (Renewed applause.) It would not do to risk that policy much longer. (Laughter and applause).

PROOF OF THE CONSPIRACY.

[We substitute the following from Judge Trumbull's Alton speech, delivered Aug. 26th, in lieu of what he adduced on the same subject in his Chicago speech. It is perfectly overwhelming]:

Now, the charge is that there was a plot entered into to have a Constitution formed for Kansas, and put in force without giving the people an opportunity to pass upon it, and that Mr. Douglas was in the plot. This is as susceptible of proof by the record as is the fact that the State of Minnesota was admitted into the Union at the last session of Congress.

On the 25th of June, 1856, a bill was pending in the United States Senate to authorize the people of Kansas to form a Comttitution and come into the Union. On that day Mr. Toombs offered an amendment which he intended to propose to the bill, which was ordered to be printed and, with the original bill and other amendments, recommitted to the Committee on Territories, of which Judge Douglas was chairman. This amendment of Mr. Toombs, printed by order of the Senate, and a copy of which I have here present, provided for the appointment of commissioners who were to take a census of Kansas, divide the territory into election districts, and superintend the election of delegates to form a Constitution, and contains a clause in the 13th section which I will read to you, requiring the Constitution which should be formed to be submitted to the people for adoption. It reads as follows:

"That the following propositions be and the same are hereby offered to the said Convention of the people of Kansas, when formed, for their free acceptance or rejection, which, if accepted by the Convention, AND RATIFIED BY THE PEOPLE AT THE ELECTON FOR THE ADOPTION OF THE CONSTITUTION, shall be obligatory on the United States, and upon the said State of Kansas," etc.

It has been contended by some of the newspaper press, that this section did not require the constitution which should be formed to be submitted to the people for approval, and that it was only the land propositions which were to be submitted. You will observe the language is that the propositions are to be "ratified by the people at the election for the adoption of the Constitution." Would it have been possible to ratify the land propositions "AT THE ELECTION FOR THE ADOPTION OF THE CONSTITUTION," unless such an election was to be held?

When one thing is required by a contract or law to be done, the doing of which is made dependent upon and cannot be performed without the doing of some other thing, is not that other thing just as much required by the contract or law as the first? It matters not in what part of the act, nor what phraseology the intention of the Legislature is expressed, so you can clearly ascertain what it is; and whenever that intention is ascertained from an examination of the language used, such intention is part of and a requirement of the law. Can any candid, fair-minded man read the section I have quoted, and say that the intention to have the Constitution which should be formed submitted to the people for their adoption is not clearly expressed? In my judgment there can be no controversy among honest men upon a proposition

so plain as this. Mr. Douglas has never pretended to deny, so far as I am aware that the Toombs amendment, as originally introduced, did require a submission of the Constitution to the people. This amendment of Mr. Toombs was referred to the committee of which Judge Douglas was chairman, and reported back by him on the 30th of June, with the words, "*And ratified by the people at the election for the adoption of the Constitution*" STRICKEN OUT. I have here a copy of that bill as reported back by Mr. Douglas to substantiate the statement I make. Various alterations were also made in the bill to which I shall presently have occasion to call attention. There was no other clause in the original Toombs bill requiring a submission of the Constitution to the people, than the one I have read, *and there was no clause whatever after that was struck out in the bill, as reported back by Judge Douglas,, requiring a submission.* I will now introduce a witness whose testimony cannot be impeached, he acknowledging himself to have been one of the conspirators and privy to the fact about which he testifies. Senator Bigler, alluding to the Toombs bill, as it was called, and which, after cundry amendments, passed the Senate, and to the propriety of submitting the Constitution which should be formed to vote of the people, made the following statement in his place in the Senate, December 9th, 1857. I read from Part I, Cong. Globe of last session, p. 21:

"I was present when that subject was discussed by Senators, before the bill was introduced, and the question was raised and discussed, whether the Constitution, when formed, should be submitted to a vote of the people. It was held by the most intelligent on the subject, that in view of all the difficulties surrounding that Territory, the danger of any experiment at that time of a popular vote, it would be better that there should be no such provision in the Toombs Bill; and it was my understanding, in all the intercourse I had, that that convention would make a Constitution and send it here without submitting it to the popular vote."

In speaking of this meeting again on the 21st December, 1857. (Congressional Globe, same vol., page 113,) Senator Bigler said:

"Nothing was farther from my mind than to allude to any social or confidential interview. The meeting was not of that character. Indeed, it was semi-official, and called to promote the public good. My recollection was clear that I left the conference under the impression that it had been deemed best to adopt measures to admit Kansas as a State through the agency of one popular election, and that for the delegates to the convention. This impression was the stronger, because I thought the spirit of the bill infringed upon the doctrine of non-intervention, to which I had great aversion; but with the hope of accomplishing a great good, and as no movement had been made in that direction in the territory, I waived this objection, and concluded to support the measure. I have a few items of testimony as to the correctness of these impressions, and with their submission I shall be content. I have before me the bill reported by the Senator from Illinois, on the 7th of March, 1856, providing for the admission of Kansas as a State, the third section of which reads as follows:

'That the following propositions be, and the same are hereby offered to the said convention of the people of Kansas, when formed, for their free acceptance or rejection; which if accepted by the convention, and ratified by the people at the election for the adoption of the Constitution, shall be obligatory upon the United States and the said State of Kansas.'

The bill read in place by the Senator from Georgia, on the 25th of June, and referred to the Committee on Territories, contained the same section word for word. Both these bills were under consideration at the conference referred to; but, sir, when the Senator from Illinois reported the Toombs bill to the Senate, with amendments, the next morning, it did not contain that portion of the third section which indicated to the Convention that the Constitution should be approved by the people. The words 'AND RATIFIED BY THE PEOPLE AT THE ELECTION FOR THE ADOPTION OF THE CONSTITUTION,' had been stricken out."

I am not now seeking to prove that Judge Douglas was in the plot to force a constitution upon Kansas without allowing the people to vote directly upon it. I shall attend to that branch of the subject by and by. My object now is to prove the *existence of the plot*, and I ask if I have not already done so? Here are the facts: The introduction of a bill on the 7th of March, 1856, providing for the calling of a convention in Kansas to form a State Constitution, and providing that the Constitution should be submitted to the people for adoption; an amendment to this bill, proposed by Mr. Toombs, containing the same requirement; a reference of these various bills to the Committee on Territories; a consultation of Senators to determine whether it was advisable to have the constitution submitted for ratification; *the determination that it was not advisable;* and a report of the bill back the next morning, *with the clause providing for the submission stricken out.* Could evidence be more complete to establish the first part of the charge I have made, of a plot having been entered into by somebody, to have a constitution adopted without submitting it to the people? Now for the other part of the charge, that Judge Douglas was in the plot, whether knowingly or ignorantly, is not material to my purpose. The charge is that he was an instrument co-operating in the project to have a constitution formed and put in operation without affording the people an opportunity to pass upon it. The first evidence to sustain the charge is the fact that he reported back the Toombs amendment with the clause providing for the submission stricken out. This, in connection with his speech in the Senate, on the 9th of December, 1857, (Congressional Globe, Part 1, page 15,) wherein he stated—

"That during the last Congress I [Mr. Douglas,] reported a bill from the Committee on Territories, to authorize the people of Kansas to assemble and form a constitution for themselves. Subsequently the Senator from Georgia [Mr. Toombs] brought forward a

substitute for my bill, which, AFTER HAVING BEEN MODIFIED BY HIM AND MYSELF IN CONSULTATION, was passed by the Senate."

—this, of itself, ought to be sufficient to show that my colleague was an instrument in the plot to have a constitution put in force without submitting it to the people; and to forever close his mouth from attempting to deny it. No man can reconcile his acts and former declarations with his present denial, and the only charitable conclusion would be that he was being used by others without knowing it. Whether he is entitled to the benefit of even this excuse, you must judge on a candid hearing of the facts I shall present. When the charge was first made in the U. S. Senate, by Mr. Bigler; that my colleague had voted for an Enabling Act which put a government in operation without submitting the constitution to the people, my colleague (Congressional Globe, last session, Part 1, page 21,) stated:

"I will ask the Senator to show me an intimation, from any one member of the Senate, in the whole debate on the Toombs bill, and in the Union, from any quarter, that the constitution was not to be submitted to the people. I will venture to say that on all sides of the chamber it was so understood at the time. If the opponents of the bill had understood it was not, they would have made the point on it; and if they had made it, we should certainly have yielded to it, and put in the clause. That is a discovery made since the President found out that it was not safe to take it for granted that that would be done, which ought in fairness to have been done."

I knew, at the time this statement was made, that I had urged the very objection to the Toombs bill, two years before, that it did not provide for the submission of the constitution. You will find my remarks, made on the 2d of July, 1856, in the appendix to the Congressional Globe of that year, p. 179, urging this very objection. Do you ask why I did not expose him at the time? I will tell you. Mr. Douglas was then doing good service against the Lecompton iniquity. The Republicans were then engaged in a hand to hand fight with the National Democracy, to prevent the bringing of Kansas into the Union as a Slave State against the wishes of the inhabitants, and of course I was unwilling to turn our guns from the common enemy to strike down an ally. Judge Douglas, however, on the same day and in the debate, probably recollecting or being reminded of the fact, that I had objected to the Toombs bill when pending, that it did not provide for a submission of the constitution to the people, made another statement which is to be found in the same volume of the Globe, page 22, in which he says;

"That the bill was silent on the subject was true, and my attention was called to that about the time it was passed; and I took the fair construction to be, that powers not delegated were reserved, and that of course the constitution would be submitted to the people."

Whether this statement is consistent with the statement just before made, that had the point been made it would have been yielded to, or that it was a new discovery, you will determine; for, if the public records do not convict and condemn him, he may go uncondemned so far as I am concerned. I make no use here of the testimony of Senator Bigler to show that Judge Douglas must have been privy to the consultation held at his house, when it was determined not to submit the constitution to the people, because Judge Douglas denies it, and I wish to use his own acts and declarations, which are abundantly sufficient for my purpose.

I come to a piece of testimony which disposes of all the various pretences which have been set up for striking out of the original Toombs proposition the clause requiring a submission of the constitution to the people, and shows that it was not done either by accident, by inadvertence, or because it was believed that the bill being silent on the subject, the constitution would necessarily be submitted to the people for approval. What will you think, after listening to the facts already presented, to show that there was a design with those who concocted the Toombs bill as amended, not to submit the constitution to the people, if I now bring before you the amended bill as Judge Douglas reported it back, and show that the clause of the original bill requiring submission, was not only struck out, *but that other clauses were inserted in the bill putting it absolutely out of the power of the convention to submit the constitution to the people for approval, had they desired to do so?* If I can produce such evidence as that, will you not all agree that it clinches and establishes forever all I charged at Chicago, and more too?

I propose now to furnish that evidence. It will be remembered that Mr. Toombs' bill provided for holding an election for delegates to form a constitution under the supervision of commissioners to be appointed by the President, and in the bill, as reported back by Judge Douglas, these words, *not to be found in the original bill,* are inserted at the close of the 11th section, viz:

"And until the complete execution of this act, no other election shall be held in said Territory."

This clause put it out of the power of the convention, had it been so disposed, to submit the constitution to the people for adoption; *for it absolutely prohibited the holding of any other election than that for the election of delegates till that act was completely executed, which would not have been till Kansas was admitted as a State,* or at all events, till her constitution was fully prepared and ready for submission to congress for admission. Other amendments reported by Judge Douglas to the original Toombs bill, clearly show that the intention was to enable Kansas to become a State without any further action than simply a resolution of admission. The amendment reported by Mr.

Douglas, that "until the next Congressional apportionment, the said State shall have one representative," clearly shows this, no such provision being contained in the original Toombs bill. For what other earthly purpose could the clause to prevent any other election in Kansas, except that of delegates, till it was admitted as a State, have been inserted, except to prevent a submission of the constitution, when formed, to the people? The Toombs bill did not pass in the exact shape in which Judge Douglas reported it. Several amendments were made to it in the Senate. I am now dealing with the action of Judge Douglas as connected with the bill, and speak of the bill as he recommended it. The facts I have stated in regard to this matter appear upon the records, which I have here present to show to any man who wishes to look at them. They establish, beyond the power of controversy, all the charges I have made, and show that Judge Douglas was made use of as an instrument by others, or else knowingly was a party to the scheme to have a government put in force over the people of Kansas, without giving them an opportunity to pass upon it. That others, high in position in the so-called Democratic party, were parties to such a scheme as is confessed by Gov. Bigler; and the only reason why the scheme was not carried out, and Kansas long ago forced into the Union as a Slave State, is the fact that the Republicans were sufficiently strong in the House of Representatives to defeat the measure. I know there is a class of men so governed by prejudice and trammeled by party ties, that, with all this evidence before them, they will turn away, and without being able to controvert or meet the facts, coolly declare it all false. There is no reasoning with or convincing such men, who are ready to deny the evidence of their own senses in order to serve a party purpose. Some persons seem to suppose they have only to deny certain facts, no matter how well established, and that will disprove them.

I shall not weary you by reading further from the record of Judge Douglas, but will refer to a few well known facts disclosed in his political history. A few years ago he proclaimed the Missouri Compromise a sacred thing, which no hand was ruthless enough to disturb. Shortly afterwards, his was the hand stretched forth to abolish it. In January, 1854, he stated, in a written report, that the repeal of the Missouri Compromise in the organization of Nebraska would be a departure from the Compromise measures of 1850. In less than sixty days afterwards, he inserted a provision in the Nebraska bill declaring the existence of the Missouri Compromise inconsistent with the legislation of 1850. In 1854, after the repeal of the Missouri Compromise, he declared that the people of Kansas had the right, WHILE IN A TERRITORIAL CONDITION, to regulate the subject of slavery for themselves. Now he indorses the *obiter dicta* decisions of the Supreme Court, declaring that neither Congress nor the people of a territory have the right to exclude slavery. To show you how fully he indorses the *dicta* in the Dred Scott case, I will read you an extract from his speech, delivered in Springfield, June 12, 1857. Alluding to the opinions of the Judges, he said:

"The court did not attempt to avoid responsibility by disposing of the case upon technical points, without touching the merits; nor did they go out of the way to decide questions not properly before them, and directly presented by the record. Like honest and conscientious judges, as they are, they met and decided each point as it arose, and faithfully performed their whole duty, and nothing but their duty, to the country, by determining all the questions in the case, and nothing but what was essential to the decision of the case upon its merits."

To show how completely the opinions of the Judges in the Dred Scott case uproot everything like popular sovereignty in a territory, I will read a single sentence from the opinion of the court, as pronounced by Judge Taney. After stating that Congress had no power under the constitution to exclude slavery from a territory, Judge Taney says:

"If Congress itself cannot do this—if it is beyond the powers conferred on the Federal Government—it will be admitted, we presume, that it could not authorize a territorial government to exercise them. It could confer no power on any local government, established by its authority, to violate the provisions of the constitution."

The idea of sustaining popular sovereignty in a territory and the doctrines of the Dred Scott decision in the same breath, is so utterly inconsistent that one or the other had to be abandoned; hence we now find Judge Douglas contending that popular sovereignty means the right of the people of a territory, when they come to form a State, to regulate their own affairs—*a right never denied by any one.*

THE DESPOTISM AT WASHINGTON.

The power which was then inaugurated is using all the departments of this government, not merely to extend slavery into Kansas, and bring it in a Slave State, but to make all the interests of this great country subordinate to the slave power, and the despotism of Washington is almost as cruel as that which has prevailed in Kansas. There is not holding office, throughout this vast country, a single man who is known to entertain views in opposition to the right to take slaves into free territories. It is an utter disqualification for office. All the departments at Washington are organized upon the plan of proscribing men who believe slavery should be excluded from the free territories. All the committees in Congress—or all important ones—which mature the business for the action of Congress, are under the control of this same power. The Supreme Court is under the control of this same power.

You all recollect the case which excited the whole country two years ago, when a Senator

of the United States was struck down and beaten nearly to death in his seat in the Senate Chamber, for uttering his honest sentiments in opposition to this slavery propagandism. But a worse state of things than that exists to-day. The gentleman who was thus stricken down in the vigor of manhood, and has been suffering with anguish and pain and torture, from blows inflicted upon him unawares, and without notice—that gentleman, now just able to walk, has since made his appearance in the Senate Chamber, having been re elected by the people of the State of Massachusetts, and when he comes there and rises with difficulty from his chair, two years after the act was done, for which some may plead the excuse that it was done under excitement—I say now, the very men in the interest of this power, affect to treat him with contempt. (Cries of shame shame.) Would you believe it? Not a Northern Senator belonging to this pro-slavery party dares even speak to him, lest he offend his Southern associate! Yes, during the last session of Congress, when upon one occasion it was stated in the Senate that the Senator from Massachusetts had paired off with some other member, who was also indisposed, a sneer of contempt was observed through the chamber at the idea of his indisposition, and the leaders of the pro-slavery Democracy affect to believe that it is a pretense on the part of a man who has been suffering these two years. In my judgment the world has never seen exhibited such refined malignity and cruelty as this attempt to treat with scorn that suffering man. This is worse, a thousand fold, than the spirit which under excitement could strike the blow, for this is premeditated and continued malice. (Loud applause. A voice: Three cheers for Sumner. The cheers were given heartily.)

I mention this, my fellow citizens, to show the condition of things at Washington. Let me tell you another fact. I went as your representative three years ago to Washington, almost an entire stranger, never having met more than two or three members of the Senate in my life. I remained there as one of the representatives of this State through two sessions of Congress, sent there to consult with the representatives of other co-equal States for the best good of a common country, and for those two years was not placed on a committee which ever met. Republican Senators were not consulted—we were ignored by this proscriptive, intolerant party that made admission to the slave power the only test by which they allowed a person to take part in the proceedings of government, wherever they could prevent it.

A little different state of things prevailed after the Fremont election in 1856. But let me tell you how it is now. The committees were organized anew at the commencement of the last session of Congress, and I have with me a list of them. On looking at it, you will find that all the leading committees are not only entirely in the interest of this pro slavery party, but are controlled by Southern men. The Committee on Foreign Relations is one of the most important. It is presided over by Mason of Virginia, and a majority of that Committee are from the Southern States. The Committee on the Judiciary is presided over by Bayard of Delaware, and a majority of that Committee are from the S uthern States. The Committee on Naval Affairs is presided over by Mallory of Florida, and a majority of that Committee are from the Southern States. The Committee on Military Affairs is presided over by Davis of Mississippi. On Post Offices by Yulee of Florida. The Committee on Finance by Hunter of Virginia. Southern men are at the head of all those committees. That on Commerce is presided over by Clay of Alabama—that on Indian Affairs by Sebastian of Arkansas. I believe there are one or two other committees besides that on Territories of which Mr. Douglas is the Chairman, the chairmanship of which is given to the North; perhaps the Committee on Enrolled Bills, or something of that kind. Now the Northern or Free States constitute a majority, and you see how powerless they are in the business of the Senate.

THE DRED SCOTT DECISION.

Now what did this party design by the policy inaugurated in 1854? I have shown you how they have gone on step by step, advancing first one opinion then another and another, until they have got slavery into Kansas; denying first the power of Congress to exclude it, then denying the power of the people of a territory, while in a territorial condition, to exclude it. Next they will deny the power of the people when they form a State constitution to exclude it, and that such is the next step to be taken is manifest from the Dred Scott decision.

I wish, fellow citizens, to get before you, if I can, a clear idea of that Dred Scott decision, and what it decided in that case. The case was this: A man by the name of Dred Scott brought a suit for his freedom in the United States Court in Missouri, on the ground that he had been taken by his master to Rock Island, in this State, and here held for some time; and afterwards taken to Fort Snelling, Minnesota, which was then a territory and part of the Louisiana purchase, from which slavery was excluded by the Missouri Compromise; and he insisted that by virtue of the laws of Illinois, and the laws of the territory in which he was at Fort Snelling he was a free man. The defense set up this plea: That Dred Scott was a negro, descended from parents who were imported from Africa and held as slaves, and being such negro, he had no authority to sue in the United States Courts, and therefore the court had no jurisdiction over the case. Now the defendant didn't set up that Dred Scott was a slave, mind you.

He said he was a negro descended from slave parents.

A VOICE—That's a nigger up there, too.

MR. TRUMBULL—I presume the person that made that remark belongs to the African Democracy, and is in the habit of calling out "Nigger" to everybody else, while he is hugging a nigger under each arm. (Great cheers and laughter.) I have heard of just such men before, and they are in the habit of calling out "Woolly head," "Abolitionist," "Nigger,"—such epithets being the only arguments they have. Now, I want to expose that man.

ANOTHER VOICE—He's not a man—let him be.

MR. TRUMBULL—I want to hold him up before this audience, and in doing so will expose a numerous class like him. He is one of your Douglas men, I take it. I will hold him up here and let you see him with the woolly heads around him. I will expose him in all his nakedness. This is just as good a place to expose the hypocrisy of that class of men as anywhere. See if I do not state him fairly. He is one of those who believe in the Dred Scott doctrine—the right to take slaves into a territory, and cries out at the same time, "Popular sovereignty!" (Cheers and laughter.) He goes down into Mississippi and North Carolina, where he owns a quantity of negroes and marches up to Kansas. He is going to emigrate there and some of his negroes are as black as the Africans with flat noses, thick lips and woolly heads, and some are a little whiter, (laughter,) and some are mulattoes, and some of them are so white you can hardly distinguish the negro blood in them. (Laughter.) Well, he marches up to Kansas, and when he gets up to the line, the free white men meet him there and say, "We do not want you to bring those niggers here—we don't want that population here in Kansas, and have resolved it shall not come here." But he answers, "I am for popular sovereignty, and the Dred Scott decision, and I will introduce my negroes, and you are woolly heads. (Laughter.) You are abolitionists, you are negro-worshipers!" And here he has his whole drove of negroes of all sorts of blood around him, and calls free white men, who want nothing to do with negroes, woolly heads. Pretty subject to talk about amalgamation with his breeds of negroes with every kind of blood in their veins. (Laughter.) He wants to introduce them in among free white men, and they say they will have none of his negroes. Talk about popular sovereignty and negro-worshipers! when every free white man in Kansas stands on the border and says, "You cannot come in here with your negroes." You shout "popular sovereignty," "squatter sovereignty!" and under Dred Scottism declare you will force your mixed breeds into the territory in spite of its inhabitants. (Laughter.) That is the position your class of men occupy. I have done with you, sir, and will now turn to the Dred Scott decision. (Vociferous applause.)

That is the kind of argument that our opponents have. (He's used up.) I was about to explain to you what the plea set up was. What did the Supreme Court decide? They decided that a person of the character described in the plea had no authority to bring suit in the United States Court, and they dismissed the case for want of jurisdiction, stating that the court had no authority to enter any judgment in the case because a negro had no right to sue in that court. Now, was not that the end of the case? It ought to have been the end, but for political reasons the judges gave their opinions separately upon the authority of Congress to exclude slavery from the country in which Fort Snelling was located, which was unnecessary to the decision. The result of the case did not determine whether Dred Scott was a slave or a free man, and the question of the authority of Congress to pass the law excluding slavery from the territory north of 36 deg. 30 min. was not involved; because, if the negro could have derived his freedom from being in a region of country where slavery was prohibited by law he had it by residing at Rock Island. The State of Illinois had abolished slavery, and if the fact of his having been brought within a free jurisdiction gave him freedom he had it by residing in this State. But the judges, for political purposes, go on and express their opinions concerning the authority of Congress and a territorial legislature to pass laws excluding slavery from a territory—such opinions are extra-judicial and of no binding force. I state this for the benefit of that class of citizens who are very much disinclined to make any attack upon the decision of a court. These are opinions of the judges, separately given upon questions not before them, and are they not to be censured for going out of the case to express such opinions? ("Yes, yes.") There is no importance in these opinions, as judical decisions, at all, and they are only important in this respect: they have been adopted by the great Democratic party, so called, as a part of its creed, and Mr. Buchanan says that slavery exists in Kansas and Nebraska as effectually as it does in South Carolina and Georgia, under these opinions. Hence it becomes very important to look to the opinions of these judges, as pointing out the creed of the party which is now in power, and which they are endeavoring to force upon the country. I should have no sort of respect for such a decision in any event, if there had been a decision of the court upon the point, when directly before them, that Congress had no authority to pass a law excluding slavery from a territory. I treat that decision in the particular case as binding, but I would treat it with utter contempt as applied to any other case. I have no scruples in assailing the infallibility of men who wear gowns, any more

than I have those who wear crowns. (Cries of "Good, good!" "That's right!" and great cheers.) Despotism is despotism, whether practiced by crowned heads or by men clothed in gowns. (Renewed cheers.) I am not ashamed to appeal from the *ouzer dicta* opinions of supreme judges, subversive of the constitution.

Fellow citizens, I acknowledge a power higher than presidents, higher than Congresses, higher than supreme courts, and to that power, whose name is the people, I will appeal. (Tremendous cheering.) The people make presidents and courts and when tyranny takes possession of those they have placed in power, the people, who are sovereigns and who are above all their servants, will take the power into their own hands. ("Good, good!" That's so.") The Supreme Court of the United States had repeatedly decided, prior to the Dred Scott case, that Congress had power to pass laws governing the territories. When it was presided over by Marshall, the court held that in the government of the territories, Congress possessed the combined power of the State and Federal Government. Those people who talk to us about appealing from the decision of the courts to a popular assembly, what have they done? Why, over here at Cincinnati, when they met to lay down their creed and declare what they were for, they said in so many words, that Congress had no power to establish a national bank. The Supreme Court had decided that Congress had the power. Where was their reverence for it then? (Applause and laughter.) They cannot appeal from the decision of the court to the people, the source of all power, but they can appeal to this Convention in Cincinnati! And I will not undertake to describe that Convention; Col. Benton once described it. (Laughter.) I would sooner have the decision of the people than of such a set of men.

But, fellow citizens, the self-styled Democracy not only set at naught a decision of the Court in their party platform, but while professing such devotion to the Court, and to believe that a Court can do no wrong, they have made it a part of their creed that a single State has the authority to set aside the decision of the Court, of Congress and the Executive. Do you recollect the resolutions at Cincinnati? I believe I have them here. One of the resolutions adopted declares—

"That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia Legislatures, in 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import."

Do you remember what resolutions these were? They were the nullification resolutions. Laughter.] Here is one of them: this was in the Kentucky Legislature in 1798:

Resolved, That this government, created by this compact [the Constitution], was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion and not the constitution the measure of its powers; but that, as in all cases of compact among parties having no common judge, *each party has an equal right to judge for itself, as well of infractions as mode and measure of redress.*

In Nov. 1799, the Kentucky Legislature reaffirmed the principle of these resolutions, and added the following:

"That the several States who formed that instrument, being sovereign and independent, have the unquestionable right to judge of the infraction; and *that nullification by those sovereignties of all unauthorized acts, done under color of that instrument*, is THE RIGHTFUL REMEDY."

Nullification by a State which has the right to judge for itself of the infractions of the constitution, is the rightful remedy! Now look at these men coming up to charge the Republican party with a great sacrilege in assailing the *obiter dicta* opinions of the Supreme Court, and at the same time pledging themselves in their party platform to the right of any State to determine at its pleasure and for itself what the constitution means, in defiance of a decision of the Supreme Court and the Executive, and to nullify an act of Congress which both sustain. (That's it; good, good.) This is the consistency they exhibit when they make assaults upon us. But, fellow citizens, if we are required to submit to the decisions of the Supreme Court, as to the authority of Congress to exclude slavery from a territory, and if it be true that the people of a territory have no authority, as the Judges of the Supreme Court, in the Dred Scott opinion, say—if the people of the territory, while in a territorial condition have no power to exclude slavery from their midst, has not that court the same right to decide whether a State may exclude slavery? Look whither this doctrine tends to. If neither the Congress nor the people can exclude slavery from a territory because the Constitution of the United States is the paramount law of the land, and carries slavery with it, then the States cannot exclude slavery, because the Constitution of the United States is the paramount law of the land in the States as well as the territories, and if there is anything in that instrument which extends slavery into the territories, the same provision must extend it into the States also. Well, suppose the Supreme Court decide as they are bound to decide if they carry out the doctrine they have announced in the Dred Scott case, that by virtue of the constitution slavery is extended into all the free States of this Union, are these gentlemen prepared to submit to that? [Cries of no, no] You are just as much bound to submit to it as to this opinion that carries slavery into the territories, and the man who defends the one must sustain the other. That is the necessary consequence of the doctrine laid down.

There is now a case pending, known as the "Lemmon case," and when the country gets prepared to receive the decision, you will probably hear again from the Supreme Court of the United States the doctrine announced, that under the constitution, slavery goes into all the States of the Union. That instrument which our fathers made for securing the blessings of liberty is thus perverted by the decision of this court, to become an instrument for the spread of slavery, against the will of the people. This necessarily results from the doctrine already advanced, if acquiesced in and carried out to its legitimate consequences.

THE PUBLIC EXPENDITURES.

But I find I am spending so much time upon this slavery question, that I am becoming somewhat hoarse, and as I wish to say something to you in regard to the expenditures of the government, and show that the party in power is as false to its other professions as it is to those it has at different times set up on the slavery question, I will pass for a few moments to that subject.

The expenses of the Government, as you have probably often heard, have increased enormously within a few years. The amount of money at the disposal of government for this year is more than one hundred millions of dollars. This I know has sometimes been disputed; but I have here the official statement made by the clerk of the House of Representatives, showing that more than eighty-one millions were specifically appropriated at the last session of Congress, and there are indefinite appropriations to pay claims, the precise amount of which is not yet known, which amount at the lowest estimate to three millions and a half, making over eighty-four millions, and there is an unexpended balance of appropriations made last year, amounting to more than sixteen millions. These sums altogether make more than a hundred millions of dollars, at the disposal of the Administration for the present fiscal year.

I know it is said that it is unfair to charge all this to this year; that a surplus will remain at the end of this year to be carried to the next list; but I think it is much more likely that the administration will come in with a deficiency bill and ask for some ten millions more, as they did at the last Congress, than that any surplus will remain. The expenses of the government during the administration of General Pierce was $232,820,632. This is more than all the expenses of the government from 1790, when it was organized, for thirty years together, including the war with Great Britain in 1812. Gen. Pierce expended more money during four years of peace, than our government expended for the first thirty years after its organization. In 1823, the expenditures of the government for all purposes, exclusive of the public debt, were $9,784,154 59. In 1857, the expenses of the government, exclusive of the public debt, were $55,032,559 76. The *pro rata*, according to the population in 1823, was 94 cents on each individual. The *pro rata* in 1857 was $2 28, per man,—94 cents to $2 28, according to population. Now these facts ought to attract the attention of the country; but perhaps if I were to state in detail some of the wastefulness of this government, some of the means by which these expenses have been increased, it would strike some minds more forcibly. I will call your attention to the city of Chicago. You have a custom house located here, and in 1852, or for the fiscal year ending in June, 1853, the last year of Fillmore's administration, there was collected at Chicago, $111,808 86. Six men were employed to collect it, and they were paid $2,882 12. That was a little over two per cent. For the year ending June 30th, 1856, there was collected at Chicago, $145,662 49. Sixteen men were employed in its collection, and they were paid $14,349 29 for it.

Now I ask you, living right here as you do, is there any reason for this increased expenditure? Can you tell me any reason why it cost ten per cent. the last fiscal year, to collect the revenue at this port, and only a little over two per cent, four years ago? Is there any reason for it, except that the government wanted to shower the money upon its favorites? [Yes, there is a reason.] I don't know what it is. [The Democratic party must be sustained. Laughter and applause.] I think that is the best reason. [Renewed laughter.] They must sustain the office holders. But Chicago is only a single case. I have the official report here, and I will state a few other cases to show you how the government expends money. There are some other points where the expenditures for collecting the revenue are much worse than at this point. At Wilmington, Delaware, there was collected in 1857, $2,004 95. How many men do you suppose it took to collect that amount, and how much do you suppose they got for it? It took eight men, and the expense of collecting was $15,848 38. [Laughter.] Gentlemen, you began entirely too soon. These are the better sort of cases. At Anapolis, in Maryland, there was collected the same year, $375 25. [Renewed laughter.] How many men do you suppose it took to collect that? It took four men, and they were paid for their services $983 42. At Ocracoka, in North Carolina, $82 55 were collected in 1857. [Laughter.] It took seven men to do it. [Laughter.] And an economical government, under a Democratic administration, priding itself on its economy, paid seven men to collect this $82 55 the sum of $2,301 52. [Laughter.] At Port Oxford, in Oregon Territory—now you would expect something extravagant over there—there was collected $5 85 and it took two men to collect, and they were paid for collecting $2,703 08.

[Laughter.] Can any of you make the calculation of the per centage that was paid to collect the $5 85? I believe it was about five hundred to one. Don't you think the government ought to get rich? At Monterey, in California, the amount collected in 1857 was $45 25 three men were employed to collect it, and paid for doing it $7,050 95. At Buffalo there was collected in 1857, $10,140 53. There were ten men employed in its collection, and they were paid $16,896 51. I will not weary you with reading this report further. It is the official report from the Secretary of the Treasury, in answer to a resolution of the Senate calling upon him to know how many employees he had in the different custom houses; what he paid them; how much was collected, etc., and here is the official report from every collection district in the United States. I have singled out a part of them as examples. [When can we have the report?] You can have this published, it is a public document. [Has Douglas got it?] I presume he has, for he sustains the administration on every point save one. I will now give you some account of the total expense of collecting the revenue for several years past.

In 1850, Congress passed a law appropriating $2,450,000 annually to defray the expenses of collecting the revenue east of the Rocky Mountains. During Taylor and Fillmore's administration the whole revenue east of the Rocky Mountains was collected for about two millions dollars per annum, leaving a surplus of more than $1,600,000 at the end of the four years. During the four years of the administration of Gen. Pierce, he used up the $2,450,000 per annum, and every dollar of the $1,600,000 remaining over from Fillmore's administration besides. After Mr. Buchanan came into power, Mr. Secretary Cobb, in his first report asked Congress to appropriate $3,700,000 annually to collect the revenue in the same district of country where only about $2,000,000 had been required five years before. What was the reason for this vast increase of expense?

None was given. Congress did not appropriate the $3,700,000 asked for. but it did appropriate $3 300,000 for collecting the revenue east of the Rocky Mountains. The amount of the revenue collected is less than during Fillmore's administration, when it was collected for $2,000,000. The reason of this increase is partly because supernumerary officers have been employed. Gen. Pierce added more than three hundred clerks at the custom house in New York, and I suppose they were paid over a thousand dollars a piece—that alone would make $300,000; and so it was that the average annual expense of collecting the revenue, this side of California, during the Pierce administration was nearly a million more than during Fillmore's; and during the first year of Buchanan's administration they want $1,300,000 more, to collect the revenue for a single year than it took four years before. Fellow citizens, are you for continuing this state of things? Does it meet your approbation? [No, no, no.] Do you not think it would be better to take some of this money, thus squandered upon partisan favorites, to protect your immense commerce, to improve your harbors, and save the lives of your citizens on these great lakes. [Cries of yes, yes.] I suppose that would be unconstitutional; in the opinion of the ruling dynasty, [laughter,] but it is not unconstitutional to pay a man $500 to collect one. [Laughter.] I could detain you, fellow citizens for hours in pointing out the extravagance of the past and present administrations, with all their professions of economy. But I have said enough, I trust, to call your attention to the matter. I have stated the gross amount which the government is using per annum, and you will find that for the five last years more money was expended than for the first thirty-five years of the government. The increase of expenditures is many times as great as the increase of population, or the extent of country, and there is no reason for this. But there is not only extravagance in the collection of the revenue but in all branches of the public service.

They are in the habit at Washington of multiplying offices. Judicial districts are divided when there is no cause for it, and when the public service does not require it and then Judges and Marshals and Attorneys are appointed, and the expense of courts is incurred. Ports of entry are established when there is no occasion for them, and immense sums of money are lavished upon favorite places, in the construction of magnificent palaces. I verily believe that this government can be carried on—and properly carried on—for less than one-half of the money now used by this administration professing economy, [cheers, loud applause,] and I ask you now if I have not made good the charge that the professions of this party are as false with regard to economy as to freedom. [Cries of yes, yes.] Then, I ask, is it to be sustained? I am satisfied that the people of this country cannot approve of these things. You cannot believe in the professions of men who practice directly the reverse of what they profess. You cannot believe that men are sincerely for economy, when they are plundering the public treasury, and if you don't hurl from power such a party, the first opportunity you have, it must be because you fear that those who are to succeed them will do no better. Now, is that so? [Cries of no, no.]

WHAT THE REPUBLICAN PARTY PROPOSES.

What does the Republican party propose? I shall detain you but a few minutes upon that point. We propose, upon the slavery question, to leave it exactly where the men who framed the Constitution left it. We are for leaving the question of slavery, where it exists in the States, to be regulated by the States as they think proper; and we are for keeping the terri-

tories which belong to the United States from the invasion of slave property as they remain territories (cheers). That is, from when they become States, of course, to deal with their black population as they shall think best, for we have no power then to interfere with the subject. There is no question what the result will be. If there is no slavery in the territory, there will be none when the people come to make it a State. I want to appeal to the candor of those who are honoring me with their attention, whether they be Democrats or Republicans; for there are but two parties. It is idle to talk about a third party—a Douglas party, or any thing of that kind. There is no middle ground; you must take one side or the other. If you sustain the measures of this self-styled Democratic party, you are one of them; if you sustain the measures of the Republican party, you must go with them, and there is no third party to unite with. We wish to ask you—men of all parties—if you are opposed to the introduction of slavery into Illinois. I apprehend that you are—that all this audience will respond, "We are opposed to it." If that is so, you have your reasons for it. You think it better for the white race that there should be no slavery here; entertaining that view you will exclude it. Now is there a father who would do less in the formation of a government for his children and posterity than he will for himself? Is there an honest man here who can say, "I will exclude slavery from the State and locality where I live because I believe it an evil, but I will suffer it to go in where my children are to go?" Here is a common territory. You are the Congress of the United States. The constitution of the United States says that Congress shall make all needful rules and regulations respecting the territories of the United States. Here is a territory about to be settled. You are called upon to frame a government for the people who are to go there, which is to last so long, and only so long, as the territorial condition continues. Now what sort of a government is it your duty to frame? You will readily admit that it is your duty to form such a government as will be for the best interests of the people who are to go there. Is not that so? (Cries of yes, that's the truth.) You believe it to be for the best interests to exclude it from Illinois, where you live. Is it not then for the best interests of your child, and your sister, and your brother, and neighbor, who are going to the territory, that slavery should not go with them? Will you do less for them than for yourself? A man is not deserving the name of a man who is so selfish that he will protect himself from an evil, yet will not raise his arm when he has the power to protect his child and his friend from the same evil. (Great cheers.)

Then it is your duty to exclude slavery from that territory until there are people enough there to come to act for themselves. That is exactly what we propose to do, and nothing more. That was what the fathers of the Republic did. Is there anything wrong in that? I think if you will look at this matter candidly, you will see that it is right, and that it is your duty to insist upon this.

The charge that we want to have anything to do with negroes is utterly untrue. It is a false clamor raised to mislead the public mind. Our policy is to have nothing to do with them, and I, myself, am very much inclined to favor the project suggested by Mr. Blair, of Missouri, at the last session of Congress. He suggested a plan for colonizing free negroes, who are willing to go somewhere in Central America, where an arrangement could be made by which their rights may be secured to them. The policy now is such as to prevent emancipation, and although we do not want to interfere with the domestic institution of slavery in the States, still we wish to interpose no obstacle to the people of those States in getting rid of their slaves whenever they think fit to do so. We know that many of the free States have passed laws preventing the immigration of negroes into their limits. The slave States have passed laws prohibiting the emancipation of slaves by their masters unless they are taken out of the State. The result of this legislation is that emancipation must cease,—for where are negroes to go? Many slaves have been emancipated during the last half century. There are thousands of free negroes in Virginia. But that policy is now stopped, because it is impracticable, there being no way of disposing of the negro when emancipated. Many masters in the South are desirous to emancipate their slaves, and especially is this the case as they approach death; for, however they may reason while in health, and thoughtless of that event which levels all alike, they are very apt, in making up their last account and disposing of their property, to think of the wrong and injustice they have done by holding some of their fellow men in bondage, and they are quite willing to emancipate them. Thousands would be emancipated if there was some place to which they could go. I, for one, am very much disposed to favor the colonization of such free negroes as are willing to go, in Central America. I want nothing to do, either with the free negro or the slave negro. We, the Republican party, are the white man's party. (Great applause.) We are for free, white men, and for making white labor respectable and honorable, which it never can be when negro slave labor is brought into competition with it. (Great applause.)

We wish to settle the Territories with free, white men, and we are willing that this negro race should go anywhere that it can to better its condition, wishing them God speed wherever they go. We believe it is better for us that they should not be among us. I believe it will be better for them to go elsewhere.

A Voice—Where to?

Mr. Trumbull—I would say to any Central American State, that will make an arrangement by which they can be secure in their rights until they arrive at a time when they can protect and take care of themselves.

A Voice—But if you can't protect them here, how can they be protected in Central America?

Mr. Trumbull—I would colonize them. We colonize Indians in our Western frontier; why can't we colonize the negro as well as the Indian? We can suffer them to go off into a country by themselves. This Central American country seems to be adapted to the negro race. It is unhealthy and enervating to the white man. Let the negroes go there if they wish;—and I understand there is no objection on the part of the people of portions of Central America to the negroes coming there and enjoying an equality of rights, (applause,) and this would give them an opportunity to improve their condition. I would be glad to see this country relieved of them, believing it better both for them and for us that we should not mingle together. Besides, such an outlet, were it provided, would be the means of freeing thousands who will otherwise be continued in slavery.

DOUGLAS AND "DIVERSITY OF OUR INSTITUTIONS."

I will say a word in regard to the argument, or rather perversion it should be called, I have seen going the rounds of the papers, that if such a state of things should take place—that the States should think proper to emancipate and send their slaves off—it could not be done without producing a uniformity between the institutions of the different States, and that would lead to despotism. It is said that our free

institutions rest upon the basis of a diversity of laws and institutions in the different States, and it is argued that if there is uniformity on the subject of freedom, there must be uniformity on every other subject—uniformity of laws for the granite hills of New Hampshire, the rich fields of South Carolina, the mines of California, and the prairies of Illinois.

It is difficult to treat so illogical an inference seriously, but if it be true that uniformity on the subject of freedom in all the States requires uniformity of laws upon all subjects in the several States, then diversity upon the one subject would require diversity upon all. On this principle I can prove that the men who advocate it, and who say that diversity is the basis of our free institutions are themselves in favor of licensing robbers, and burglars, and thieves, and murderers, and repealing all laws for punishing such offenders. And why? Because all the States of the Union have laws for preventing the commission of such crimes; and as diversity of laws is the basis of our free institutions, we must repeal our criminal code in order to bring it about, lest by having laws in all the States punishing such criminals, we fall into despotism. Now, you who are for diversity of laws and institutions in the different States, must sanction murder, robbery, burglary and theft, according to your own mode of reasoning. The application of such reasoning is as good one way as the other, and this shows the utter absurdity of charging upon the Republicans—who would wish that, in the providence of God, not a human being trod His footstool in the capacity of slave (loud applause)—a desire to have uniformity of laws and institutions in all the States on all subjects. I say this simply turning the argument used against us upon those who make it, and showing that they are just as obnoxious to the charge of advocating diversity of laws and institutions upon all subjects as we are of advocating uniformity upon all.

CONCLUSION.

Having given the views of the Republican party as I understand them, in regard to slavery, I designed to have said something upon the unwarrantable assumption of power by the Federal Executive, but am already so much exhausted as to be unable to do so. I intended to have pointed out to you the nature of the assumptions of power on the part of the Federal Government tending to consolidation and to break down the sovereignty of the States; to have shown as it can be shown and demonstrated, that this party, now calling itself democratic, is the old Federal party in disguise. ("Go on—good, good—go on," and applause.)

It is true, and it can be demonstrated to be true. The powers which have been usurped by Pierce and Buchanan would have led to the impeachment, I believe, of Washington himself. (Applause.) Why, the President of the United States now assumes to raise armies without calling upon Congress. He has enlisted volunteers without the least authority from Congress. He has marched an army away to the Rocky Mountains and encamped it there during the winter at an expense of millions and millions of dollars, without the least authority of law. All that the Democratic Congress of his party does is to raise the money to pay for the expedition. I say nothing here of the policy of that expedition. I speak of the want of power in the President to send it there. It is done, I know, under the pretended name of a *posse comitatus* to accompany the Governor. It is the same sort of subterfuge under which troops were employed in Kansas to compel submission to their invaders.

You know what a *posse comitatus* is. It is the power of the county, called out by a civil officer to assist in the execution of process who resisted, and the President of the United States, who has no authority to summon a posse for any purpose, calls the army from Florida, thousands of miles off, and sends it as a *posse comitatus*, first to Kansas, afterwards to the Rocky Mountains to accompany the Governor. Why a Governor has no right to have *posse comitatus* for an escort, and it is a perversion of terms to give such a name to an army. The authority to make war is vested by the Constitution in the Congress of the United States. It is expressly declared that Congress shall have the power to declare war, to raise armies, and prescribe rules for their government.

A Voice—"How will you put down rebellion?"

Mr. Trumbull—I will put down rebellion under the authority of Congress, and in no other way. (Applause.) The President of the United States is the Commander-in-chief, when Congress raises the troops and directs him what to do, but he has no power to raise an army; and if you sanction his usurpations of power in raising armies and using them at his own discretion, the time is not distant when some Bonaparte or Cæsar will assume to control your rights and mine. (Great cheers.)

The Republican party is opposed to this assumption of power, and all these unnecessary offices and unnecessary expenses, and they are for bringing the government back, not only in regard to this slavery question, but in regard to all questions, to its original policy under Washington and Jefferson. We are for an economical administration of the government, for shaping the legislation of the country to serve the best interests of the country, and the whole country, oppressing no section and no interest, but doing equal justice to all. (Cries of good, good, and loud applause.) Not interfering with slavery where it is, but shaping the policy of the country so as to prevent its expansion, and leaving it as the Constitution has left it, for the States where it exists, to manage it as shall seem to them best. (Applause.) That I understand to be the policy of the Republican party. Install that party in power, and we may look forward to long years of peace and prosperity, for a free, a united, and a happy people. (Loud and long continued cheering.)

Douglas' Chicago Speech vs. his Freeport Speech.

Dred Scott Swallowed in Chicago and Thrown Up in Freeport—What the Supreme Court Says—What President Buchanan Says—The Little Dodger Cornered and Caught.

Mr Douglas has at last, to use his own chaste and classic language, been "trotted out" and "brought to his milk." The effort has been in progress for four years, with very little prospect of success; but on the 27th of August he was brought up 'with a round turn' by Mr. Lincoln, and made to 'let down.' During the struggle over the Kansas-Nebraska bill, Mr. Douglas voted in the Senate against an amendment, asserting the right of the Territorial Legislature to exclude slavery. He was interrogated upon the point whether a Territorial Legislature had the right to exclude the institution, both in the United States Senate and upon the stump—in 1854 and 1856—all along through the exciting discussions which have grown out of the repeal of the Missouri Compromise; and in every instance, without a solitary exception, when so interrogated, his reply was, "That is a question for the Supreme Court of the United States to determine." Well, the Supreme Court did determine the question in its decision of the famous Dred Scott case. Here is what it said:

"We are satisfied that no one who reads attentively the page in Peter's Reports to which we have referred, can suppose that the Court meant in that case to say that Congress had a right to prohibit a citizen of the United States from taking any property which he legally held into a Territory of the United States. And if Congress itself cannot do this—if it is beyond the powers conferred on the Federal Government—it will be admitted, we presume, *that it could not authorize a Territorial Government to exercise them.* And if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether it be LEGISLATIVE, executive or judicial, *has a right to draw such a distinction, or deny to it the benefit of the provisions and guarantees which have been provided for the protection of private property against the encroachments of the Government."—Dred Scott Decision delivered by Chief Justice Taney, p.* 451.

There is no chance for mistaking the language here employed. It is clear and conclusive upon the point which Mr. Douglas had always said could be decided only by the Supreme Court. The doctrine embraced to-wit: that the federal constitution carries slavery into all the Territories belonging to the United States, and protects it there in defiance of Congressional intervention or the enactments of the Territorial Legislatures, has been accepted by all the slave-holding States and adopted by the Democratic party without a dissenting voice. Mr. Buchanan, the present head and chief expounder of that party, in his famous Sillimanletter of last September, declared that:

"Slavery existed at that period, and still exists in Kansas, UNDER THE CONSTITUTION OF THE UNITED STATES. *This point has at last been finally settled by the highest tribunal known to our laws.* How it could ever be seriously doubted is a mystery."

Mr. Douglas, himself, again and again indorsed this decision. He indorsed it in all his speeches in this State last summer and fall, he indorsed it during the winter upon the floor of the Senate, he has indorsed it in all his speeches delivered since his return from Washington up to August 27. The point of his acquiescence in that decision has been made upon him scores of times, and still in every speech his reply, in substance,

has been: "The Supreme Court has so declared. I sustain the action of the Court. The Court can do no wrong." At Freeport, however, the subject was pressed upon him, in terms, in a manner that compelled him to give a categorical answer. He was literally "trotted out and brought to his milk," not in "Egypt," where he had threatened to perform that interesting operation upon his opponent, but in Northern Illinois, where the free soil sentiment is all powerful, and in a Senatorial District which he is laboring very hard to carry. Had Mr. Lincoln waited until they had gone down to Egypt "the milk," doubtless, would have been of a different color and consistency, but the free soil atmosphere with which Douglas was surrounded worked wonders upon his political laceteals. That our readers may see how entirely he swallowed Dred Scott in Chicago, and how he was compelled to throw up again at Freeport, we place in parallel columns his remarks on this subject at each place:

DOUGLAS AT CHICAGO, JULY 9, 1858.

The other proposition advanced by Mr. Lincoln in his speech consists in a crusade against the Supreme Court of the United States on the ground of the Dred Scott decision. On this question also I desire to say to you that equivocally that *I take direct or distinct issue with him.* I have no warfare to make on the Supreme Court of the United States [applause] either on account of *that* or any other decision which they have pronounced from that bench. The Constitution of the United States have provided that the government—the government—and the Constitutions of the several States had the same provisions—shall be divided into three departments—the executive, legislative and judiciary The right and the province of expounding the Constitution and the construction of laws vested in a judiciary established by the Constitution. As a matter of fact, every day to appear before a court and controvert any principle of law while the question is pending before the tribunal; but when a decision is made, my private opinion, your opinions, all our opinions must yield to the majesty of that authoritative adjudication. [Cries of "Good," and cheers.]

I do not choose, therefore, to go into an argument with Mr. Lincoln in reviewing the various decisions that the Supreme Court has made either

DOUGLAS AT FREEPORT, AUG. 27, 1858

The next question Mr. Lincoln propounded to me is—"Can the people of a territory lawfully exclude slavery from their limits by any legal means before it comes into the Union as a State." I answer emphatically, as Mr. Lincoln has heard me answer a hundred times, on every stump in Illinois, that in my opinion the people of a territory can, by lawful means, exclude slavery before it comes in as a State [Cheers.] Mr. Lincoln knew that I had given that answer over and over again. He heard me argue the Nebraska bill on that principle, all over the State in 1854-5 and '6, and he has now no excuse to pretend to have any doubt upon that subject. Whatever the Supreme Court may hereafter decide as to the abstract question whether slavery may go into a territory Constitution or not, the people of a Territory have the lawful means to admit it or exclude it as they may please, for the reason that slavery cannot exist a day or an hour anywhere unless supported by local police regulations, furnishing remedies and means of enforcing the right to hold slaves. Those local police regulations can only be furnished by the legal legislature. If the people of the Territory are opposed to slavery they will elect members to the Legislature who will adopt unfriendly legislation to it. If they are for it they will adopt the legislative

upon the Dred Scott case or any other, and I have no idea of exhorting from the decision of the Supreme Court upon a constitutional question to the decision of a town meeting; hence I am opposed to this doctrine of Mr. Lincoln's, by which he proposes to take an appeal from the decision of the Supreme Court of the United States, upon these high constitutional questions, to a Free Soil or Republican caucus situated in this country—yes, or to any other caucus or town meeting. *I respect the decision of that august Tribunal: I shall bow in deference to it.*

measures friendly to slavery. Hence, no matter what may be the decision of the Supreme Court on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska Bill. I hope Mr. Lincoln will deem my answer satisfactory on this point.

Now, mark: at Chicago Mr. Douglas takes "direct issue with Mr. Lincoln" on the subject of the Dred Scott decision. Mr. Lincoln had objected to that decision chiefly on the ground of its declaration that the federal constitution carried slavery into the Territories and protected it there against all *legislative, executive or judicial interference, whether federal or local.* To this objection of Mr. Lincoln, Mr. Douglas took *"direct or distinct issue"* in his Chicago speech. He was for the decision, he "respected" it, and "bowed in deference to it." At Bloomington he was equally explicit, his language at that place being:

"I have no issue to make with the Supreme Court. I have no crusade to preach against that august body. I have no warfare to make against it. I receive the final decision of the Judges of that Court, when pronounced, *as the final adjudication upon all questions within their jurisdiction.*"

The same language was substantially held by Mr. Douglas in his subsequent speeches. His followers throughout the State took their cue from the bold manner in which he uttered his approval of that decision and indorsed all its consequences. A writer in the Chicago *Times* elaborated a series of articles to establish the wisdom and justice of the *dictum* which made slavery the common law of the land; and the editor of the *Times* indorsed the views of the writer. Other Douglas organs followed in the wake of the *Times*. The Douglas party in Illinois was as fully committed to the doctrine as its acknowledged leader and his subalterns had it in their power to commit it. Those who took the stump for Douglas came square up to the mark, swallowing Dred Scott at a single gulp. At Vandalia, on the 18th Aug., Captain Post, a prominent Douglas candidate for nomination to Congress from the 7th Dis-

trict, discoursed on the subject after the following fashion:

"I know I once preached the doctrine that the people of a territory had the right by the passage of a territorial law, to establish or exclude slavery. I know that was the doctrine formerly maintained by the Democratic party; *but I became satisfied that we were wrong.* If I own a horse in Kentucky I am at liberty to take that horse into any Territory of the United States. Why? *Because he is my property.* The case is *precisely the same as my nigger.* The Constitution of the United States protects me in the enjoyment of my property anywhere in the Territories."

Captain Post had just heard Douglas' speeches all through Central and Southern Illinois; he had conversed and counselled with him in private. He understood the position of his master fully. He knew what his opinions for that latitude were. He gave free expression to them, not dreaming, we presume, that Mr. Douglas would seek to convey a different impression in another part of the State.

We now call the reader's special attention to the extract which we have copied above from the Freeport speech. Mr. Douglas, with an audacity that no one but himself could assume, boldly declares that he has asserted "on every stump in Illinois that in (his) opinion the people of a territory can, by lawful means, exclude slavery before it comes in as a State." Now we assert that Mr. Douglas has not declared any such thing on any one stump in the State. From 1854 to 1857, when asked for his opinion on this subject, and he was often asked, he invariably referred his interrogator to the Supreme Court for an answer; since the Dred Scott decision of that party, when asked for his opinion, his answer has been such as he gave in his Chicago speech—"I respect that (the Dred Scott) decision; I bow with deference to it." We ask the people of Illinois, of every party, if this is not so. And if it is, what shall we think of the man who thus impudently and unblushingly falsifies his own record in the face of assembled thousands?

The other point to which we direct attention is, that while Mr. Douglas sought to impress his audience with the belief that he repudiated the most objectionable feature of the Dred Scott decision, he in reality did not commit himself against it. His position is, that notwithstanding the Dred Scott decision carries slavery into the Territories, still the people thereof can exclude it or admit it just as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless supported by local police regulations; that these police regulations can only be furnished by the local legislature; that hence a people who do not desire slavery in their Territory, have only to elect a legislature of their mind—and the federal constitution and that "august tribunal," the Supreme Court, are nowhere! Mr. Douglas was once a Judge of the Supreme Court of Illinois; he still claims to be a lawyer, and boasts of being deeply learned in the constitution. If he is honest in this exposition of constitutional law, what becomes of his claims as a statesman? If it was his intention to practice a deception upon the people as to his real sentiments, his claims to honesty and truthfulness are still less.

Look at the fallacy of the position. What local police regulations are necessary for the protection of slaves? Mr. Douglas is a slave holder; will he, in his next speech, have the goodness to name the local police regulations by which he holds his slaves in Mississippi? If any one is desirous of provoking his rage and hearing him pour out his choicest billingsgate, let him propound that question to Douglas at his next appointment. So far as the Territories are concerned, the argument of Douglas carries its refutation upon its face, and is in direct conflict with the dictum of the Supreme Court in the Dred Scott case. The language of the Court is:—

"And if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether *LEGISLATIVE, Executive, or Judicial, has a right to draw such a distinction, or DENY to it the benefit of the provisions and guarantees which have been provided for the protection of private property, against the encroachments of the Government.*"

Here, then, if "local police regulations" *are* necessary to the maintenance of slavery, the Supreme Court has decided that the local Legislature has not the right to DENY the benefit of the provisions and guarantees which have been provided for its protection.

In other words, the local Legislature is REQUIRED to furnish the necessary police regulations. But suppose it refuse and neglect the requirement, what then? Is the Federal Government powerless to protect private rights within its jurisdiction? Where are the Governor, the U. S. Marshal, the United States Army, and what their business in the Territories, if it be not to protect private rights and enforce the guarantees of the Constitution "against the encroachments of the local government?" Is Mr. Douglas a knave, or does he consider the people of Illinois to be fools, and so believing, insult their intelligence with such nonsense as all this talk about "local police regulations" and the inability of the Federal Government to enforce the guarantees of the Constitution?

Here, then, is Mr. Douglas' last definition of the right of the people of the Territories to govern themselves. Their right is a mere negation. If they do not wish to have slavery, they cannot exclude it, for the Dred Scott decision is in the way; but they may refrain from passing local police regulations for its protection! That is all there is of Popular Sovereignty left by his own admission; and even that can avail nothing, since the Dred Scott decision declares that the constitution guarantees the right of property in slaves in the territories, and the Federal Government has the power and is compelled to enforce that guarantee. Said we not truly, that "the little dodger is cornered and caught?"

WHAT THE SOUTHERN PAPERS SAY.

THE LOUISVILLE JOURNAL ON DOUGLAS AND LINCOLN—OPINION OF THE HOME ORGAN OF HENRY CLAY.

The Louisville *Journal* has received Douglas Freeport speech, and to the Senator's new averment that slavery may be kept out of the Territories by the refusal of the local Legislatures to pass laws for its protection, in spite of the authoritative mandate of the Constitution and the Supreme Court, thus replies:

Mr. Lincoln, though doubtless far from approving this answer, will probably deem it more satisfactory than Senator Douglas' Southern Democratic friends are likely to think it. We ask these gentlemen, plainly, what they *do* think of it. Is it good Southern doctrine? Is it good law? Is it statesmanlike? Is it even in conformity with that system of public ethics which obtains among nations tolerably civilized? Saying nothing of historic prestige—spawn of Senator Douglas' own brain as it is—is it comparable, in honesty, or dignity, or expediency or any other quality which might palliate or redeem a grave error, to Mr. Lincoln's position on the same question? Most certainly it is not. A more silly, disgusting exhibition of ignorance and duplicity was never made by a man of respectable pretensions. According to Senator Douglas, the Territorial Legislatures, though prohibited by the Constitution from abolishing slavery within their respective jurisdictions, may lawfully abstain from enforcing the rights of slaveholders, and so extinguish the institution by voluntary neglect. In other words, Senator Douglas contends that the Territorial Legislatures may lawfully evade the Constitution by deliberately omitting to protect the rights which it establishes. He holds that the people of the Territories may lawfully abolish slavery indirectly, though the Constitution forbids them to abolish or prohibit it directly. It is impossible to conceive of squatter sovereignty in a more con-

temptible shape than this. It is the scurviest possible form of the scurviest of all possible heresies. A refinement, moreover, is added to the enormity of the fact that the Dred Scott Decision, to which Senator Douglas constantly parades his allegiance expressly precludes the whole thing. The opinion of the Court in that case denies the right of Territorial Legislatures to refuse protection to slavery as distinctly as it denies their right to abolish or prohibit it. "And if the Constitution," says the Court, "recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal acting under the authority of the United States whether *LEGISLATIVE, Executive or Judicial, has a right to draw such a distinction, or DENY to it the benefit of the provisions and guarantees which have been provided for the protection of private property against the encroachments of the Government.*" The doctrine finds as little warrant in the late famous opinion of the Supreme Court as in law or morals or the dictates of a fair and wise statesmanship. It has no basis either in reason or authority. It is utterly and astoundingly false. No friend to the constitutional rights of the South or to manly public dealing can or will tolerate it for an instant. It is a most vile and miserable and unmitigable heresy. Senator Douglas in publicly espousing it, goes several lengths beyond the most intense and passionate Republicans in the whole North. He rushes in where Mr. Lincoln and his colleagues scorn to tread.

Mr. Lincoln's position on this point has the merit of openness if not justness. Indeed, as compared with that of his adroit but short sighted and unscrupulous antagonist, it possesses merits considerably more substantial than simple frankness. While taking sound national ground on every other important point of the "vexed question," Mr. Lincoln avows his belief "in the right and duty of Congress to prohibit slavery in all the United States Territories."—We consider this an error, involving, theoretically at least, very serious injustice to the citizens of the slaveholding States. It is undoubtedly a serious evil regarded in itself. Yet every impartial mind must perceive and admit that it is the pink of truth and justice compared with the wretched doctrine announced by Senator Douglas. In the name of common sense and common fairness, if slavery is to be prohibited or abolished in the Territories by any legislative tribunal, let it be done by one in which the nation is represented, and not by one composed of the representatives of the first stragglers from some overburdened city or restless border State who happen to squat on the public domain. If slavery is to be prohibited in the Territories by legislation at all, let it be done by the people of the United States, and not by the first handful of nomadic settlers in the Territories themselves. If we must have any sovereignty in the case, apart from the Constitution, give us the sovereignty of the American people, not squatter sovereignty in its most detestable and unwarrantable shape. Senator Douglas, as we have seen, gives us the latter—Mr. Lincoln the former. Between the two, no intelligent, discerning patriot can hesitate a moment. Mr. Lincoln's position, aside from its virtually speculative cast, is infinitely less unfriendly to the constitutional rights and just interests of the South. When, furthermore, we reflect that the Supreme Court has pronounced this identical position unconstitutional, and would infallibly nullify any Congressional legislation in pursuance of it, the practical consequence of Mr. Lincoln's error vanishes into all but nothing. It becomes a harmless crochet, a political dream. But if it were as vital as it is lifeless, it would be immeasureably less pernicious than the reckless and shameless heresy of Douglass. It would be difficult, in fact, to imagine a doctrine on the subject that would not be. Abolitionism itself as respects the Territories, has never, in its highest fury, assumed such radical ground as Douglas took in his Freeport speech. Garrison, with all his fanatical and demoniacal hatred of slavery, has never in his whole life uttered an opinion at once so insulting and injurious to the South. The force of unscrupulous Northern demagogism seems spent in this last expedient of the unscrupulous little demagogue of Illinois.

This is a Southern view of the matter at issue; but it is out-spoken, honest and significant of more to follow. The Louisville *Journal* concludes its lengthy article on the Illinois canvass as follows:

We can hardly be mistaken in thinking

that this somewhat unexpected development will strike our political friends in Illinois as something more than significant. We shall be mistaken if they do not consider it decisive, and promptly throw aside whatever imperfect, half-formed sympathies with Senator Douglas they may have hitherto entertained. Such sympathies, if they exist, or have existed, must now be curdled into sourest aversion and disgust.

Union of the Opposition.

The Baltimore *Patriot*, the well known organ of the old Whigs of the State of Maryland, gives its strong indorsement of a union of all the opposition elements of the country, in order to defeat the schemes of the corrupt Douglas-Buchanan Democracy. It says:

"Possessing equally with every other citizen of a Southern State the determination to protect the institutions of the South from encroachment, and cherishing in common, all the sentiments and feelings inherent in every true inhabitant of a slave State, we see nothing in the present position of parties calculated to prevent us giving a cordial and warm support to a union of all the conservative elements of the country in opposition to the inglorious and demoralized Democracy, which now, with an army of pharisites at its command, affects to administer the affairs of the nation, and, at the expense of its labor, lavishes millions upon its votaries to prolong its existence and the perpetuity of its reign.

With the masses it has already become unpopular. The bungling policy of the administration of James Buchanan, its extravagance, which is fast establishing a national debt, the corruptions whose emanations appear to proceed from its advisers, the attempt by the mere force of power to coerce the inhabitants of what will soon be a sovereign State, into a form of government repugnant to the wishes of nine-tenths of them; these and other reasons are sufficient to create a feeling, which, in 1860, will sweep from position a party that has done more to mar and blemish our *status* as a republic than any other which has existed in our midst since the Revolution."

That's the talk. The Henry Clay Whigs of Illinois respond "amen" to every word of it.

The Political Record of Stephen A. Douglas.

In 1849 *Douglas "canonized" the Missouri Compromise.*

The Missouri Compromise had an origin akin to that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever the danger which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion, at that day, seemed to indicate that this Compromise had became canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever be reckless enough to disturb. *Judge Douglas' speech at Springfield, Oct. 23d,* 1849.

Douglas defending the Missouri Compromise in 1850, *from the charge of being an aggression on the South.*

"The next in the series of aggressions com. plained of by the Senator from South Carolina, is the Missouri Compromise. The Missouri Compromise, an act of Northern injustice, designed to deprive the South of her due share of the Territories! Why, sir, it was only on this very day that the Senator from Mississippi despaired of any peaceable adjustment of existing difficulties, because the Missouri Compromise line could not be extended to the Pacific. That measure was originally adopted in the bill for the admission of Missouri by the union of Northern and Southern votes. The South has always professed to be willing to abide by it, and even to continue it, as a fair and honorable adjustment of a vexed and difficult question.—In 1845 it was adopted in the resolutions for the annexation of Texas, by Southern as well as Northern votes, without the slightest complaint that it was unfair to any section of the country. In 1846 it received the support of every Southern member of the House of Representatives—Whig and Democrat—without exception, as an alternative measure to the Wilmot proviso. And again in 1848 as an amendment to the Oregon bill, *on my motion*, it received the vote, if I recollect right—and I do not think that I can possibly be mistaken—of every Southern Senator, Whig and Democrat, even including the Senator from South Carolina himself [Mr. Calhoun.) And yet we are now told that this is only second to the ordinance of 1787 in the series of aggressions on the South." [Douglas' speech in Senate, March 13, 1850—Cong. Globe, Appendix, vol. 22, part 1, page 370.

Douglas in 1850, *on "Prohibition" and slaves as "Property."*

"But you say that we propose to prohibit by law your emigrating to the territories with your property. WE PROPOSE NO SUCH THING. We recognize your right in common with our own, to emigrate to the territories with your property and there hold and enjoy it in subordination to the laws you may find in force in the country. Those laws in some respects, differ from our own, as the laws of the various States of this Union vary, on some points from the laws of each other. *Some species of property are excluded by law in most of the States as well as territories, as being unwise, immoral,* OR CONTRARY TO THE PRINCIPLES OF SOUND PUBLIC POLICY. For instance, the banker is prohibited from emigrating to Minnesota, Oregon or California, with his bank. The bank may be property by the laws of New York, but ceases to be so when taken into a State or Territory, where banking is prohibited by the local law. So, ardent spirits, whiskey, brandy, all the intoxicating drinks, are recognized and protected as property in most of the States, if not all of them; but no citizen, whether from the North or South, can take this species of property with him, and hold, sell or use it at his pleasure, in all the territories, because it is prohibited by the local law—in Oregon by the statutes of the Territory, and in the Indian country by the acts of Congress. NOR CAN A MAN GO THERE AND TAKE AND HOLD HIS SLAVE FOR THE SAME REASON. These laws, and many others, involving similar principles, *are directed against no section,* AND IMPAIR THE RIGHTS OF NO STATE OF THE UNION. They are laws against the introduction, sale and use of specific kinds of property, whether brought from the North or the South, or from foreign countries."—[Douglas' speech in Senate, March 13, 1850—Cong. Globe Appendix, Vol. 22, part 1, page 371.

And again:

"But, sir, I do not hold the doctrine that to exclude any species of property by law from any Territory, is a violation of any right to property. Do you not exclude banks from most of the Territories? Do you not exclude whiskey from being introduced into large portions of the territory of the United States? Do you not exclude gambling tables, which are properly recognized as such in the States where they are tolerated? And has any one contended

that the exclusion of gambling tables, and the exclusion of ardent spirits was a violation of any constitutional privilege or right? And yet it is the case in a large portion of the territory of the United States; but there is no outcry against that, because it is the prohibition of a specific kind of property, and not a prohibition against any section of the Union. Why, sir, our laws now prevent a tavern keeper from going into some of the Territories of the United States and taking a bar with him, and using and selling spirits there. The law also prohibits certain other descriptions of business from being carried on in the Territories. *I am not, therefore, prepared to say that, under the constitution, we have not the power to pass laws excluding Negro slavery from the Territories.* IT INVOLVES THE SAME PRINCIPLES."—Speech of Senator Douglas, June 3d, 1850—pages 1115 and 1116, vol. 2d, Cong. Globe, '49 and '50.

Douglas in '50 on the "right of Prohibition."

"The territories belong to the United States as one people, one nation, and are to be disposed of for the common benefit of all, according to the principles of the Constitution. Each State as a member of the confederacy, has a right to a voice in forming the rules and regulations for the government of the Territories; but the different sections—North, South, East and West—have no such right. IT IS NO VIOLATION OF SOUTHERN RIGHTS TO PROHIBIT SLAVERY."—[Douglas' speech in Senate, March 13, 1850.—Cong. Globe Appendix, Vol. 22, part 1, page 369.

Douglas in 1850 *on the Constitutionality of "Prohibition."*

"My hands are tied upon one isolated point. (Instructed by the Illinois Legislature in 1849, to vote for prohibiting slavery in the Mexican territory.)

A Senator—Can you not break loose?

MR. DOUGLAS. I have no desire to break loose. My opinions are my own and I express them freely. My votes belong to those who sent me here, and to whom I am responsible. I have never differed with my constituency during seven years service in Congress, except upon one solitary question, AND EVEN ON THAT I HAVE NO CONSTITUTIONAL DIFFICULTIES, and have previously twice given the same vote, under peculiar circumstances; which is now required at my hands. I have no desire, therefore, to break loose from the instruction."—[Douglas' speech in Senate March 13, 1850—Cong. Globe Appendix, Vol., 22, part 1, page 373.

Douglas in 1850 *acknowledges that slavery is prohibited by Mexican law in Utah and New Mexico—the only Territories organized under the Compromise measures of* 1850.

"Slavery, then, is PROHIBITED in all the country acquired from Mexico, by a fundamental law—a constitutional provision, adopted by the inhabitants of the country, and which must continue in force FOREVER, unless repealed by competent authority. This doctrine is not new with me, nor is it now advanced by me for the first time."—[Douglas' speech in 1850, in Senate—Globe Appendix, Vol. 22, part 1, page 372.

Douglas on extending the Missouri Compromise Line in 1850—*Six months after the introduction of Clay's Compromise Resolutions, and three months after the introduction of the "Omnibus Bill."*

The bill for the admission of California being under debate, Mr. Turney, (of Tenn.) moved to amend the same by extending the Missouri Compromise line to the Pacific Ocean, saying his amendment was a verbatum copy of Douglas' amendment to the Oregon Bill.

Mr. Douglas said:

"As reference has been made to me as the author of a similar amendment in 1848, to the Oregon Bill, I desire only to state that I was then willing to adjust the whole slavery question on that line and those terms; *and if the whole acquired territory was now in the same condition as it was then* I WOULD NOW VOTE FOR IT, AND SHOULD BE GLAD TO SEE IT ADOPTED. But since then California has increased her population, has a State government organized and I cannot consent for one to destroy that State government, and send all back or that such a line as this shall form her southern boundary. For that reason AND THAT ALONE I shall vote against the amendment.—Douglas in Senate Aug. 6, 1850.—Congressional Globe appendix, vol. 22, part 2, page 1510 Clay's Compromise Resolutions were introduced January 29th, 1850, the Omnibus bill, May 8th, 1850.

Douglas in 1850 *on the "ultimate extinction of Slavery."*

"I have alrcady had occasion to remark that at the time of the adoption of the Constitution, there were twelve slaveholding States, and of those twelve, six of them have since abolished slavery. This fact shows that the cause of freedom has steadily and firmly advanced, while slavery has receded in the same ratio.—WE ALL LOOK FORWARD WITH CONFIDENCE TO THE TIME when Delaware, Maryland, Virginia, Kentucky and Missouri, and probably North Carolina and Tennessee, *will adopt a gradual system of emancipation, under the operation of which* those States must in process of time become free.

And again, speaking of a proposition to amend the constitution so as to preserve an "equilibrium" in point of numbers between free and slave states, he says:

"Then sir, the proposition of the Senator from

South Carolina is entirely impracticable. It is also inadmissable, if practicable. It would revolutionize the fundamental principls of the Government. It would destroy the great principle of popular equality which must necessarily form the basis of all free institutions. IT WOULD BE A RETROGADE MOVEMENT IN AN AGE OF PROGRESS, THAT WOULD ASTONISH THE WORLD.—Douglas' Speech in Senate March 13, 1850—Congressional Globe Appendix, vol. 22, part 1, page 371.

In 1851, Douglas resolves never to make another speech on the slavery question.

In Senate, December 23d, 1851, on a resolution declaring the Compromise measures a "finality."

Mr. Douglas said:

"At the close of the long session which adopted those measures, *I resolved NEVER to make another speech upon the slavery question in the halls of Congress.* * * * *

"In taking leave of this subject, I wish to state that I have determined NEVER *to make another speech upon the slavery question; and I will now add the hope, that the necessity for it will never exist.* I am heartily tired of the controversy, and I know that the country is disgusted with it. In regard to the resolutions of the Senator from Mississippi, (Mr. Foote) I will be pardoned for saying that I much doubt the wisdom and expediency of their introduction. * * *

So long as our opponents do not agitate for repeal or modification, why should we agitate FOR ANY PURPOSE? We claim that the compromise is a final settlement. Is a final settlement open to discussion, and agitation, and controversy, by its friends? What manner of settlement is that which does not settle the difficulty and quiet the dispute? Are not the friends of the compromise becoming the agitators, and will not the country hold us responsible for that which we condemn and denounce in the Abolitionists and Free soilers? These are matters worthy of consideration. *Those who' preach peace should not be the first to commence and reopen an old quarrel.*"—[Cong. Globe appendix, 1851-2, pages 65 and 68.

National Democratic Platform of 1852, on the Slavery Question, which Douglas supported and indorsed.

"*Resolved*, That the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question UNDER WHATEVER SHAPE OR COLOR THE ATTEMPT MAY BE MADE."—[Resolution of the National Democratic Platform of 1852.

THE THREE NEBRASKA BILLS.

To understand how "ruthlessly" Mr. Douglas re opened the present slavery agitation, it is necessary to know that he himself introduced three "Nebraska Bills" into the Senate, and that in his *third* bill he, for the first time, hinted at the repeal of the Missouri Compromise.

THE FIRST NEBRASKA BILL.

On the 17th day of February, A. D. 1853, Senator Douglas, as Chairman of the Committee on Territories, reported to the Senate his first "Act to Organize the Territory of Nebraska." This Act conta ned no repeal of the Missouri Compromise.

The following speech, on this first Bill reported by Douglas, made by Atchison of Missouri, in the Senate, on the 3d day of March, 1853, shows that there was not only no repeal in *the Bill*, but not even a hope or thought of such a repeal in the minds of the most ultra Southerners:

"NEBRASKA TERRITORY.

March 3d, 1853.—The Senate resumed the consideration of the motion to take up the Bill to Organize the Territory of Nebraska.

Mr. ATCHISON—(Mr. Foote in the Chair)—I did not expect opposition to this measure from the quarter from which it comes—from Texas and from Mississippi. I had thought that Arkansas, Missouri and Iowa, were more particularly interested in this question.

Mr. President, I will now state to the Senate the views which induced me to oppose this proposition in the early part of the session.

I had two objections to it. One was that the Indian title in that Territory had not been extinguished, or at least a very small portion of it had been. Another was the Missouri Compromise, or as it is commonly called, the Slavery Restriction. It was my opinion at that time—and I am not now very clear on that subject—that the law of Congress, when the State of Missouri was admitted into the Union, excluding slavery from that Territory, north of latitude 36 deg. 30 min., would be enforced in that Territory unless it was specially rescinded; and, whether that law was in accordance with the Constitution of the United States or not, it would do its work, and that work would be to preclude slave holders from going into that Territory. But when I came to look into that question, *I found that there was no prospect, no hope of a repeal of the Missouri Compromise excluding slavery from that Territory.* Now, sir, I am free to admit that at this moment, at this hour, and for all time to come, I should oppose the organization or the settlement of that Territory unless my constituents and the constituents of the whole South, of the slave States of the Union, could go into it upon the same footing, with equal rights and equal privileges, carrying that species of property with them as other people of this Union. Yes, sir, I acknowledge that that would have governed me, *but I have no hope that the restriction will ever be repealed.*

I have always been of opinion that the first great error committed in the political history of this country was the Ordinance of 1787, rendering the Northwest Territory free territory. The next great error was the Missouri Compromise. *But they are both irremediable. There is no remedy for them. We must submit to them. I am prepared to do it.* IT IS EVIDENT THAT THE MISSOURI COMPROMISE CANNOT BE REPEALED. So far as that question is concerned we might as well agree to the admission of this Territory now as next year, or five or ten years hence."—[Cong. Globe, Session 1852-53, page 1113.

THE SECOND NEBRASKA BILL.

On the 4th of January, 1854, Douglas as Chairman of the Committee on Territories, reported to the Senate his second Nebraska Bill (the fir t having failed for want of time, during the former session.) This second Act, like the first, contained no repeal, and was accompanied by the following report from Mr. Douglas:

DOUGLAS REPORT IN SENATE, JAN. 4, 1854.

"Your Committee do not feel themselves called upon to enter into the discussion of these collateral questions. They involve the same grave issues which produced the agitation, the sectional strife and the fearful struggle of 1850. As Congress deemed it wise and prudent to refrain from deciding the matters in controversy then, either by affirming or repealing the Mexican laws, or by an act declaratory of the true intent of the Constitution and the extent of the protection afforded by it to slave property in the Territories, so *YOUR COMMITTEES ARE NOT PREPARED NOW TO RECOMMEND A DEPARTURE* from the course pursued on that memorable occasion, *EITHER BY AFFIRMING OR REPEALING THE EIGHTH SECTION OF THE MISSOURI ACT*, or by any Act declaratory of the meaning of the Constitution in respect to the legal points in

dispute."—[Douglas' Report as Chairman of the Committee on Territories, in Senate, January 4th, 1854.

THE THIRD NEBRASKA BILL.

Up to this time we see that Mr. Douglas had kept the *Missouri Compromise* "sacred." But now a miraculous change comes o'er the spirit of his dream, and on the 23d day of January, A. D 1854, (only 19 days after his former report) he brings in his third Nebraska bill, in the shape of a substitute for the former report, dividing the Territory of Nebraska into two Territories (Kansas and Nebraska) and repealing the *Missouri Compromise.*

Senator Atchison accounts for the milk in the cocoa nut," and explains how and why Douglas repealed the Missouri Compromise. The following is a report of his speech made at "Atchison City,' in Kansas, in September, 1854, as reported in the "Parkville Luminary:"

"For myself I am entirely devoted to the interests of the South, and I would sacrifice every thing but my hope of Heaven to advance her welfare. He thought the *Missouri* Compromise ought to be repealed; he had pledged himself in his public addresses to vote for no territorial organization that would not virtually annul it; and with this feeling in his heart, he desired to be the Chairman of the Senate Committee on Territories, when a bill was introduced.

With this object in view he had a private interview with *Mr.* Douglas, and informed him of what he desired—the introduction of a bill for Nebraska, like what he had promised to vote for and that he would like to be Chairman of the Committee on Territories in order to introduce such a measure; and, if he could get *that* position he would immediately resign as President of the Senate Judge Douglas requested twenty-four hours to consider the matter, and if, at the expiration of that time, he could see his way to introduce such a bill as he (*Mr.* Atchison) proposed, which would at the same time accord with his own sense of justice to the South, he would resign as Chairman of the Territorial Committee in Democratic caucus, and exert his influence to get him (Atchison) appointed At the expiration of the given time, Senator Douglas signified his intention to introduce such a bill as had been spoken of."

DOUGLAS VOTES AGAINST POPULAR SOVEREIGNTY—THE CHASE AMENDMENT.

"*Mr. Chase*—I desire to submit an amendment, to insert immediately after the words—('subject to the Constitution of the United States,') which have been inserted, the following:

Under which the people of the Territory through their appropriate representatives, may if they see fit, PROHIBIT THE EXISTENCE OF SLAVERY THEREIN."—[Cong. Globe, 1854—page 421.

This amendment to the Nebraska Bill was offered in the Senate on the 15th of February, 1854; and after due discussion was, on the 2d of March following, rejected The vote stood—yeas 10; nays 36. DOUGLAS voting against it.

DOUGLAS VOTES AGAINST POPULAR SOVEREIGNTY.

Trumbull's amendment—in Senate, July 24, 1856:

"And be it further enacted, That the provision of the 'Act to organize the Territories of Nebraska and Kansas,' which declares it to be 'the true intent and meaning' of said Act 'not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States,' was intended to and does confer upon or leave to the people of the Territory of Kansas full power at any time, through its Territorial Legislature, to exclude slavery from said Territory or to recognize and regulate it therein."

The vote stood—yeas 13; nays 34. DOUGLAS voting in the negative.

DOUGLAS DEFENDS THE BORDER RUFFIANS.

"The natural consequence was that immediate steps were taken by the people of the Western Counties of Missouri to stimulate, organize and carry into effect a system of emigration similar to that of the Massachusetts Emigrant Aid Company. for the avowed purpose of counteracting the effects and protecting themselves and their domestic institutions from the consequences of that Company's operations The material difference in the character of the two rival and conflicting movements consists in the fact *that the one had its origin in an AGGRESSIVE and the other in a DEFENSIVE policy.*"—[Douglas' Report to the Senate, March 12, 1856—page 9.

DOUGLAS DECLARES THE BOGUS KANSAS LEGISLATURE AND ITS BOGUS LAWS TO BE LEGAL.

"So far as the question involves THE LEGALITY OF THE KANSAS LEGISLATURE, AND THE VALIDITY OF ITS ACTS, it is entirely immaterial whether we adopt the reasoning and conclusion of the minority or majority reports, for each proves that THE LEGISLATURE WAS LEGALLY AND DULY CONSTITUTED."—Douglas' Report to the Senate, *March* 12, 1856—page 15.

DOUGLAS DECLARES THE PEOPLE OF KANSAS MUST BE "SUBDUED" INTO SUBMISSION TO THE BOGUS LAWS.

"The minority report advocates foreign interference; we advocate self-government and non-interference. We are ready to meet the issue, and there will be no dodging. We intend to meet it boldly; TO REQUIRE SUBMISSION TO THE LAWS AND TO THE CONSTITUTED AUTHORITIES; TO REDUCE TO SUBJECTION THOSE WHO RESIST THEM, AND TO PUNISH REBELLION AND TREASON. I am glad that a defiant spirit is exhibited here; we accept the issue."—[Douglas Speech in Senate, March 12th, 1856; see Daily Congressional Globe, March 13, 1856, 5th column of 2d page.

"In this connection your Committee feel sincere satisfaction in commending the measures and proclamation of the President, in which we have the gratifying assurance that the supremacy of the laws will be maintained; that rebellion will be crushed; * * * that the federal and local laws will be vindicated against all attempts of organized resistance."—[Douglas Report to the Senate, *March* 12, 1856—page 40.

DOUGLAS RECOMMENDS THE APPROPRIATION OF MONEY TO ENFORCE THE BOGUS LAWS.

"I recommend also *that a special appropriation be made* to defray any expense which may become requisite IN THE EXECUTION OF THE LAWS, or the maintenance of public order in the Territory of Kansas."—[President Pierce's Special Kansas Message.

"In compliance with the other (the above) recommendation, your committee propose to offer to the Appropriation Bill an amendment appropriating such sum as shall be found necessary by the estimates to be obtained for the purpose indicated in the recommendation of the President."—[Douglas' Report to the Senate, March 12, 1856—page 41.

SENATOR TOOMBS TELLS HOW, WHEN AND WHERE DOUGLAS STRUCK THE SUBMISSION CLAUSE OUT OF THE TOOMBS BILL.

In the United States Senate, on the 18th day of March last, Senator Toombs made a speech, reported in the Appendix to the Congressional Globe of the last session, and on page 127, speaking of the bill which he had introduced, he uses the following remarkable language:

"The first twelve sections provided the machinery for executing the (Toombs) bill, so that there should be no dispute as to its fairness.

The other sections containing only the formal parts of the bill incident to every enabling act, I cut them off with my scissors from a printed bill before me. The first twelve sections are in my own words. In the thirteenth section, under the usual clause, stating that the following shall be the fundamental conditions of admission, THERE WERE WORDS REQUIRING A SUBMISSION OF THE CONSTITUTION TO THE PEOPLE. That I did not observe.

When the bill came up for consideration between some gentlemen of the Committee and myself, there being no provision in the bill for a second election; there being no safeguards for such a popular election, the bill being incongruous as to that purpose, I suggested the striking out of this clause. It was done as the report shows. It having got there by accident, as it was stricken out at my suggestion, as a matter of course. The principles upon which that measure was based were these: first, that all the legal voters of the Territory should have a fair opportunity, free from force or fraud, to elect a convention and to make a constitution; AND THEN THAT THEY SHOULD COME INTO THE UNION, UNDER THAT CONSTITUTION, WITHOUT REFERRING EITHER THE CONSTITUTION TO THE PEOPLE, OR THE QUESTION OF ADMISSION AGAIN TO CONGRESS."

DOUGLAS ENDORSES THE LECOMPTON ELECTION AND CONVENTION.

"Kansas is about to speak for herself through her delegates assembled in convention to form a constitution, preparatory to her admission into the Union on an equal footing with the original States. Peace and prosperity now prevail throughout her borders. The law under which her delegates are to be elected is believed to be just and fair in all its objects and provisions. * * * If any portion of the inhabitants, acting under the advice of political leaders in distant States, shall choose to absent themselves from the polls, and withhold their votes, with a view of leaving the Free State Democrats in a minority, and thus securing a pro-slavery constitution in opposition to the wishes of a majority of the people living under it, let the responsibility rest on those who, for partisan purposes, will sacrifice the principles they profess to cherish and promote."—[Douglas' Springfield Grand Jury Speech, June 12th, 1857.

DOUGLAS ON THE ADMISSION OF UTAH WITH POLYGAMY,

"The Territory of Utah was organized under one of the acts known as the Compromise Measures of 1850, on the supposition that the inhabitants were American citizens, owning and acknowledging allegiance to the United States, and consequently entitled to the benefits of self government while a Territory, and to admission into the Union on an equal footing with the original States so soon as they shall number the requisite population. It was conceded on all hands, and by all parties, that the peculiarities of their religious faith and ceremonies interposed no valid and constitutional objection to their reception into the Union, in conformity with the Federal Constitution, so long as they were in all other respects entitled to admission."—[Douglas' Springfield Grand Jury Speech, June 12th, 1857.

DOUGLAS SAYS SLAVERY IS A CIVILIZED AND CHRISTIAN INSTITUTION.

"At that day the negro was looked upon as a being of an inferior race. All history had proved that in no part of the world, or the world's history, had the negro ever shown himself capable of self-government, and it was not the intention of the founders of this government to violate that great law of God which made the distinction between the white and the black man. *That distinction is plain and palpable, and it has been the rule of civilization and Christianity the world over, that whenever any one man or set of men were incapable of taking care of themselves, they should consent to be governed by those who are capable of managing their affairs for them.*"—[Douglas' Springfield Grand Jury Speech, June 12th, 1857, as published in the *Missouri Republican* of June 18th, 1857.

DOUGLAS SAYS POPULAR SOVEREIGNTY IS A JUDICIAL QUESTION.

"He (Trumbull) tried the other day, as these associated with him on the stump used to do two years ago, and last year, to ascertain what were my opinions on this point in the Nebraska Bill. I TOLD THEM IT WAS A JUDICIAL QUESTION. * * * My answer then was and now is, THAT IF THE CONSTITUTION CARRIES SLAVERY THERE LET IT GO, AND NO POWER ON EARTH CAN TAKE IT AWAY; but if the Constitution does not carry it there, no power but the people can carry it there. Whatever may be the true decision of that constitutional point, it would not have affected my vote for or against the Nebraska Bill. *I should have supported it just as readily if I thought the decision would be one way as the other.* If my colleague will examine my speeches, he will find that declaration. He will also find that I stated I would not discuss this LEGAL QUESTION, for by the Bill we referred it to the Courts."—[Douglas' Speech in Senate, July 2d, 1856—Appendix to Cong. Globe, page 797.

HOW THE COURT DECIDED THE QUESTION. THE DRED SCOTT DECISION ON SLAVERY.

"The only two provisions which point to them, (slaves,) and include them, *treat them as property*, AND MAKE IT THE DUTY OF GOVERNMENT TO PROTECT IT; no other power in relation to this race, is to be found in the Constitution."—[Dred Scott Decision, opinion of the court, page 425, Howard's Report

"The Territory being a part of the United States, the government and the citizens both enter it under the authority of the Constitution, with their respective rights defined and marked out; and the Federal Government can exercise no power over his person or property, beyond what that instrument confers, nor lawfully deny any right which it has reserved. * * * * * * *

The powers over person and property of which we speak are not only not granted to Congress, *but are in express terms denied*, and they are forbidden to exercise them. *And this prohibition is not confined to the States*, but the words are general, and extend *to the whole territory* over which the Constitution gives it power to legislate, including those portions of it remaining under *Territorial Government*, as well as that covered by States. It is a total absence of power everywhere within the dominion of the United States, and places the citizens of a *Territory* so far as these rights are concerned, on the same footing with citizens of the States, and guards them as firmly and plainly against any inroads which the general government might attempt under the plea of implied or incidental powers. And if Congress itself cannot do this—if it is beyond the powers conferred on the Federal Government—it will be admitted, we presume, that it could not authorize a territorial Government to exercise them.

* * * And if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether LEGISLATIVE, Executive or judicial, has a right to draw such a distinction, or DENY to it the benefit of the provisions and guarantees which have been provided for the protection of private property against the encroachments of the Government."—[Dred Scott Decision, opinion of the court, pages 449, 450 and 451, Howard's report.

DOUGLAS ENDORSES AND SUSTAINS THE DRED SCOTT DECISION.

The character of Chief Justice Taney and associate judges who concurred with him require no eulogy—no vindication from me. They are endeared to the people of the United States by their eminent public services—venerated for their great learning, wisdom and experience—and beloved for the spotless purity of their characters and their exemplary lives. The poisonous shafts of partisan malice will fall harmless at their feet, while their judicial decisions will stand in all future time, a proud monument to their greatness, the admiration of the good and wise, and a rebuke to the partisans of faction and lawless violence.

* * * The Court did not attempt to avoid responsibility by disposing of the case upon technical points without touching the merits, nor did they go out of their way to decide questions not properly before them and directly presented by the record. Like honest and conscientious judges, as they are, they met and decided each point as it arose, and faithfully performed their whole duty and nothing but their duty to the country by determining all the questions in the case, and nothing but what was essential to the decision of the case upon its merits.—[Douglas' Springfield Grand Jury Speech, June 12th 1857.

"When the decision is made, my private opinion, your opinion, all other opinions must yield to the majesty of that authoritative adjudication. * * * * I shall respect the decisions of that august tribunal. I shall always bow in deference to them. * * * * I will sustain the judicial tribunals and constituted authorities on all matters within the pale of their jurisdiction as defined by the constitution." [Douglas' Speech at Chicago, July 9th 1858.

DOUGLAS "DON'T CARE."

"It is none of my business which way the slavery clause (in Kansas) is decided. I CARE NOT WHETHER IT IS VOTED DOWN OR VOTED UP.—[Douglas' speech in Senate, December 9th, 1857, Congressional Globe, part 1, page 18.

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